

# Annual Report

Board of Examiners

*Coal Mining Safety and Health Act 1999*

1 July 2013 – 30 June 2014

This publication has been compiled by Michael O'Donoghue of Mine Safety and Health, Department of Natural Resources and Mines.

© State of Queensland, 2014.

The Queensland Government supports and encourages the dissemination and exchange of its information. The copyright in this publication is licensed under a Creative Commons Attribution 3.0 Australia (CC BY) licence.



Under this licence you are free, without having to seek our permission, to use this publication in accordance with the licence terms.

You must keep intact the copyright notice and attribute the State of Queensland as the source of the publication.

For more information on this licence, visit <http://creativecommons.org/licenses/by/3.0/au/deed.en>

The information contained herein is subject to change without notice. The Queensland Government shall not be liable for technical or other errors or omissions contained herein. The reader/user accepts all risks and responsibility for losses, damages, costs and other consequences resulting directly or indirectly from using this information.

# 1. Background

The Board of Examiners traces its origin to *The Mining Act of 1898 (Queensland)*. The Board's activities contribute to securing the safety and health of workers in mines by ensuring only qualified and competent people are entrusted with key mining roles which, if mishandled, could contribute to injury and loss of life, potentially on a large scale. The Board grants certificates of competency to persons assessed as being appropriately qualified to fill statutory safety and health mine management positions in the coal and metalliferous mining industries.

The former mining Board of Examiners was constituted under the *Mines Regulation Act 1964*, and recognised by the *Coal Mining Act 1925*. Two Boards of Examiners were constituted under identical provisions in Parts 10 of both the *Mining and Quarrying Safety and Health Act 1999* and the *Coal Mining Safety and Health Act 1999* with the proclamation of new mining safety and health legislation on 16 March 2001. *The Mines and Energy Legislation Amendment Act 2010* was implemented on 21 April 2010 and a single Board of Examiners is now established under Part 10 of the *Coal Mining Safety and Health Act 1999*.

## 2. Role

The *Coal Mining Safety and Health Act 1999* and the *Mining and Quarrying Safety and Health Act 1999* set out the functions of the Board of Examiners.

- to decide the competencies necessary for holders of certificates of competency for persons who are appointed under the Acts;
- to assess applicants, or have applicants assessed, for certificates of competency;
- to grant certificates of competency to persons who have demonstrated to the Board's satisfaction the appropriate competencies necessary to hold the certificates;
- to ensure the competencies under the Acts are consistent with the competencies required by other States for the holders of certificates of competency; and
- to perform other functions given to the Board under the Acts.

Certificates of competency are mandatory for statutory positions defined in these Acts. Certificates are only issued by the Board of Examiners to persons who meet appropriate eligibility criteria, pass a written examination in Queensland mining law and an oral examination in mining practice. The oral examination panels are chaired by a Mines Inspector and include two experienced qualified peers from the mining industry.

Certificates issued by the Board are:

- First Class Mine Manager's Certificate of Competency (Underground Metalliferous Mines)
- First Class Mine Manager's Certificate of Competency (Underground Coal Mines)
- Second Class Mine Manager's Certificate of Competency (Underground Coal Mines)
- Deputy's Certificate of Competency (Coal Mines)
- Open Cut Examiner's Certificate of Competency (Coal Mines).

The Board also grants mutual recognition of interstate certificates of competency to suitably qualified candidates under mutual recognition legislation.

The Board also issues Site Senior Executive Mining Legislation Examination Notices to persons who have demonstrated their knowledge of the *Coal Mining and Safety Health Act 1999* by undertaking a written mining law examination. This notice is issued on behalf of the Coal Mining Safety and Health Advisory Committee.

### 3. Membership

Appointment to the Board is by the Governor-in-Council. During the current reporting period membership consisted of a Chairperson and eight other members. Three members, including the Chairperson, are Inspectors of Mines.

**Table 1: Members as of 30 June 2014**

| Name                            | Details  |
|---------------------------------|--|
| Andrew Joseph Clough<br>(Chair) | Chair of the Board and Chief Inspector of Coal Mines, Department of Natural Resources and Mines; a member of the Coal Mining Safety and Health Advisory Committee and an experienced coal and metalliferous mine manager. He holds a First Class Mine Manager's Certificate of Competency (Underground Coal Mines) and a First Class Mine Manager's Certificate of Competency (Underground Metalliferous Mines). |
| Gregory Allan Dalliston         | Industry Safety and Health Representative; a member of the Coal Mining Safety and Health Advisory Committee; a member of the Coal Sector Committee of the Resources and Infrastructure Industry Skills Council and Chair of the Coal Sector Working Party. He holds a Mine Deputy's Certificate of Competency.   |
| Dr Brian White                  | Professor of Mining Engineering, University of Queensland and Executive Director Mining Operations, Citigold Corporation Ltd and the Site Senior Executive at Citigold's Central Mine at Charters Towers. He holds a First Class Mine Manager's Certificate of Competency (Underground Metalliferous Mines).   |
| Michael Dempster Downs          | Underground Mine Manager at Carborough Downs underground coal mine. He holds a First Class Mine Manager's (Underground Coal Mines) Certificate of Competency.  |
| Ian McDonell                    | Most recently Site Senior Executive and Underground Mine Manager at Newlands Northern underground coal mine. He is the holder of a First Class Mine Manager's (Underground and Surface Coal Mines) Certificate of Competency.  |

|                          |  |
|--------------------------|--|
| Michael Rhodes Westerman | General Manager, Mount Isa Copper Operations with Xstrata Copper and a member of the Mining Safety and Health Advisory Committee. He holds a First Class Mine Manager's (Underground Metalliferous Mines) Certificate of Competency.   |
| John Bernard Sleigh      | Inspector of Mines, Department of Natural Resources and Mines and an experienced coal mine manager. He holds First and Second Class Mine Manager's (Underground and Surface Coal Mines) and Deputy's Certificates of Competency. He also holds a Graduate Diploma in Adult and Vocational Education and has extensive experience in training design in both the mining industry and other sectors. |
| Phillip Howard Goode     | Chief Inspector of Mines (Metalliferous and Quarries), Department of Natural Resources and Mines and a member of the Mining Safety and Health Advisory Committee. He holds a First Class Mine Manager's (Underground Metalliferous Mines) Certificate of Competency.   |
| Robert Gavin Taylor      | Recently retired as Chief Inspector of Coal Mines, Gavin is the President of the Mine Managers' Association of Australia and Chair of the New Zealand Extractive Industries Advisory Group. He holds First and Second Class Mine Managers (Underground Coal Mines) and Deputy's Certificates of Competency and is an experienced coal mine manager.  |

### 3.1. Meetings held

**Table 2: Meetings held and Attendance by Members**

| Board Member            | Number of Meetings | Number of Meetings Attended |
|-------------------------|--------------------|-----------------------------|
| Andrew Joseph Clough    | 3                  | 3                           |
| Gregory Allan Dalliston | 3                  | 3                           |
| Dr Brian White          | 3                  | 3                           |
| Michael Dempster Downs  | 3                  | 2                           |
| Ian McDonell            | 3                  | 2                           |
| Michael Westerman       | 3                  | 1                           |
| John Sleigh             | 3                  | 3                           |
| Phillip Howard Goode    | 3                  | 3                           |
| Robert Gavin Taylor     | 3                  | 2                           |

Note:- There were only 3 meetings held in the current reporting year. The fourth quarter meeting scheduled for June 2014 was deferred to July 2014.

## **4. Certificates of Competency and Registrations issued throughout the reporting period**

### **Certificates of Competency issued by examination and Registrations granted under the *Mutual Recognition Act 1992***

The Board issued 46 certificates of competency and 30 letters of registration by mutual recognition. Appendix 1 details the number and class of certificates of competency issued by examination, success rates in examinations, and the number and class of registrations granted under the *Mutual Recognition Act 1992*.

The Board has candidates assessed by oral examination panels consisting of at least two and usually three persons holding at least the qualification being examined. The panel is usually chaired by an inspector. The other two members are practising members of a mine management team. Because both groups are likely to be called away on short notice, the panels are planned with three members, but from time to time only two may be available. A demonstration of the support and commitment provided by the industry is that, even with the low number of 24 deputy candidates this year, examiner panel members were drawn from 9 of the 15 operating underground mines.

Examination panels are arranged so that candidates are not examined by management team members from the mine where they work. Candidates from the inspectorate are examined by industry panel members.

All oral examination panel chairs hold a Certificate IV in Training and Assessment, TAE40110.

### **Site Senior Executive Mining Legislation Examination Notices Issued**

In the current reporting period, the Board of Examiners received a total of 74 applications for assessment. The Board organised 90 Site Senior Executive examinations in Brisbane and at several regional venues. In the current reporting period the Board issued 40 notices to applicants who had successfully completed a mining legislation examination during 2013-2014. Appendix 1 details notices issued by examination.

### **Board Member Contribution to Examination Processes**

Board members have continued to contribute to the certificate of competency and Site Senior Executive Mining Legislation Notice examination processes by voluntarily marking examination papers and as panel chairs and members in the oral examination of certificate of competency candidates. A total of 175 written legislation examination papers were marked by Board members during the reporting period and a total of 70 oral examinations conducted.

## **5. Issues throughout the reporting period**

### **Minister's priorities**

The Minister has requested the department to address industry concerns about the board of examiners by taking the following actions as a matter of priority:

- A working group is to be established with industry to develop an operational charter for the board;
- When a vacancy exists on the board either through resignation or expiration of an appointment term, an expression of interest is to be called for a replacement;
- Modern techniques of assessment such as online examinations are to be implemented;
- Application processes are to be streamlined, e.g. through the use of on line smart forms; and
- Flexible approaches to assessing competency are to be utilised where it does not compromise the safety outcomes.

### **Meetings with the New South Wales Coal Competence Board**

A positive working relationship has been established with the New South Wales regulator to maintain consistency between the coal mining examinations in both states. Through this co-operation a common approach has been established to the development of prerequisite training standards and competency maintenance.

### **Mining Legislation Examination for Site Senior Executives**

The Coal Mining Safety and Health Advisory Committee asked the Board of Examiners to develop and conduct an examination process to ensure that Site Senior Executives at coal mines had the necessary knowledge of the legislation and their safety and health obligations. The Site Senior Executive examination process commenced in July 2009. Since then, a total of 832 applications have been received and 423 applicants have successfully completed a legislation examination and been issued with a Site Senior Executive Mining Legislation Examination Notice.

The Mining Safety and Health Advisory Committee postponed determining an appropriate mechanism to address the Site Senior Executive issue in the metalliferous and quarrying industry until the Queensland Mine Safety Framework project is completed.

### **Information sessions / Road show**

In 2011, the Board introduced information sessions in regional centres to explain its expectations. Board and examination panel members suggested strategies to assist candidates to prepare for the examination. The sessions were well attended by prospective candidates, their coaches and mine management leading to an increase in the proportion of successful candidates at that time. Planned sessions for April 2014 were cancelled due to a general downturn in the number of applications being received by the Board and the significantly lower number of eligible candidates proceeding to undertake oral examinations.

However examiners made themselves available to discuss expectations with candidates, usually individually for the first and second class certificates of competency and in study groups for deputy and open cut examiner certificates.

## **Revision of Administrative Processes**

The Department of Natural Resources and Mines conducted a performance review of the efficiency of Board of Examiners' operations. Board members were consulted in this process and provided input for the efficiency review.

Improvements made in the current reporting period include:

- Further enhancement of the electronic recording and tracking database with additional reporting functions.
- Streamlined internal processes to reduce the administrative burden and application assessment time enabling the secretariat to process a record number of applications.
- Further electronic capture of historical paper records

## **6. Expenses incurred**

The amount incurred by the Board for the statutory attendance fees for members from outside the public service was \$2672. No special assignment fees were payable. All other costs associated with running the examination and certification processes were incurred by the Department and are not reported in this Annual Report.



## APPENDIX 1: Outcomes of the Board's examining and registration activities

| Certificate of Competency /<br>Registration                          | Obtained                    | Written<br>Examinations |      | Oral Examinations |      | Certificates<br>Issued | Mutual<br>Recognition<br>Registration |
|--|-----------------------------|-------------------------|------|-------------------|------|------------------------|---------------------------------------|
|  |                             | Pass                    | Fail | Pass              | Fail |                        |                                       |
| First Class Mine Manager<br>(Underground Metalliferous Mines)        | By examination              | 0                       | 6    | 3                 | 2    | 3                      |                                       |
|  | Under mutual<br>recognition | 3                       | 3    | N/A               | N/A  |                        | 3                                     |
| First Class Mine Manager<br>(Underground Coal Mines)                 | By examination              | 1                       | 5    | 2                 | 3    | 2                      |                                       |
|  | Under mutual<br>recognition | 1                       | 4    | N/A               | N/A  |                        | 2*                                    |
| Second Class Mine Manager<br>(Underground Coal Mines)                | By examination              | 1                       | 1    | 0                 | 2    | 0                      |                                       |
|  | Under mutual<br>recognition | 0                       | 3    | N/A               | N/A  |                        | 0                                     |
| Deputy   | By examination              | 4                       | 1    | 12                | 16   | 10                     |                                       |
|  | Under mutual<br>recognition | 18                      | 2    | N/A               | N/A  |                        | 21                                    |
| Open Cut Examiner  | By examination              | 28                      | 2    | 40                | 7    | 31                     |                                       |
|  | Under mutual<br>recognition | 4                       | 1    | N/A               | N/A  |                        | 4                                     |
| Total – Pass and Fail Examinations                                   |                             | 60                      | 28   | 57                | 30   |                        |                                       |
| Total Examinations Held  |                             | Written 88              |      | Oral 87#          |      |                        |                                       |
| Total number of certificates of competency issued                    |                             |                         |      |                   |      | 46                     |                                       |
| Total number of letters of registration by mutual recognition issued |                             |                         |      |                   |      |                        | 30                                    |

\*Registrations by Mutual Recognition issued do not match examinations passed due to examinations held outside the reporting period

# Oral examinations were held in June 2014 but had not been approved by the Board before 30 June 2014

| Queensland Coal Mining<br>Legislation Examination | Obtained ...          | Written Examinations |      | Notices issued |
|---|-----------------------|----------------------|------|----------------|
|   |                       | Pass                 | Fail |                |
| Site Senior Executive                             | By SSE<br>Examination | 38                   | 54   | 40*            |

---

*\*Notices issued do not match examinations passed due to examinations held outside the reporting period*



**Call: 13 QGOV (13 74 68)**

**Visit: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)**